



## C.V.R.D

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE

WEDNESDAY, JUNE 24, 2009 - 3:30 P.M.

CVRD BOARDROOM, 175 INGRAM STREET

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#### AGENDA

	<u>PAGES</u>	<u>DISCUSSION TIME (MINUTES)</u>
1. <u>APPROVAL OF AGENDA:</u>	i - ii	
2. <u>ADOPTION OF MINUTES:</u> M1 Minutes of May 27, 2009	1 -4	
3. <u>BUSINESS ARISING FROM THE MINUTES:</u> BA1 <u>Verbal</u> update regarding Bench Make a Difference Club video.	Verbal	5
BA2 Referred back from Board – resolution regarding liability for sidewalk snow and leaf removal.	5	10
BA3 Referred back from Board – resolution to rescind Board Resolution No. 07-773 granting approval in principle for takeover of the Four-Ways sanitary sewer system.	6	10
4. <u>DELEGATIONS:</u> No Delegations		
5. <u>REPORTS</u>		
R1 Staff report providing an Alternate Approval Process notice and Loan Authorization Bylaw for expansion of solid waste facilities.	7 – 10	5
R2 Staff report providing an Alternate Approval Process notice and Loan Authorization Bylaw for a new operations facility at the Bings Creek Solid Waste Management Complex.	11 – 14	10
R3 Staff report regarding establishment of a CVRD Service Area for Arbutus Ridge (Electoral Area C) water, sewer and drainage systems. ( <u>Report to be distributed at meeting</u> )	To be distributed	5
R4 Staff report regarding establishment of a CVRD Service Area for Dogwood Ridge Water System (Electoral Area E).	15 - 17	5

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|----|--|---------|----|
| R5 | Staff report concerning establishing a service area in Shawnigan Lake for looking after cleanout and restoration of Shawnigan Creek. | 18 - 19 | 10 |
| R6 | Verbal report regarding Water Quality of Lakes and Streams.  | Verbal  | 10 |
6. NEW BUSINESS:
7. CLOSED SESSION – No items.
9. NEXT MEETING: July 22, 2009
10. ADJOURNMENT:
- 

**Distribution:**

Director Cossey, Chair  
Director Haywood, Vice-Chair  
Director Dorey  
Director Duncan  
Director Giles  
Director Harrison  
Director Kuhn

As Well As:

Director Iannidinaro, Electoral Area D  
Director Kent, City of Duncan  
Director Marcotte, Electoral Area H  
Director Morrison, Electoral Area F  
Warren Jones, Administrator  
Brian Dennison, General Manager, Engineering & Environmental Services  
Bob McDonald, Manager, Recycling & Waste Diversion  
Dave Leitch, AS&T, Manager, Water Management  
Kate Miller, Manager, Regional Environmental Policy  
Mark Kueber, Treasurer

Agenda Cover Only:

Directors Hutchins, McGonigle, Seymour, Walker  
Tom Anderson, General Manager, Planning & Development  
Joe Barry, Corporate Secretary

**The Full Agenda Package is available on-line at: <http://cvrd.bc.ca/Archive.asp?AMID=50>**

Minutes of the regular meeting of the Engineering & Environmental Services Committee held in the CVRD Boardroom, 175 Ingram Street, Duncan, on May 27, 2009 at 3:30 p.m.

**PRESENT:** Director Cossey, Chair  
Director Haywood, Vice-Chair  
Directors Dorey, Duncan, Giles, Iannidinaldo, Kent, Kuhn, Morrison

**ABSENT:** Director Harrison

**ALSO**

**PRESENT:** B. Dennison, P. Eng., General Manager, E & E  
D. Leitch, ASCT., Manager, Water Management  
Jeralyn Jackson, Project Engineer  
H. Huffman, Environmental Technologist  
J. Bath, Recording Secretary

New Business items NB1 and NB2 were added to the agenda.

**APPROVAL  
OF AGENDA**

It was moved and seconded that the agenda be approved as amended to add items under New Business - NB1 and NB2.

**MOTION CARRIED**

**ADOPTION  
OF MINUTES**

It was moved and seconded that the minutes of the April 22, 2009 regular Engineering & Environmental Services Committee meeting be adopted.

**MOTION CARRIED**

**BUSINESS ARISING  
OUT OF MINUTES**

No business arising

**DELEGATIONS**

**D1**

The Bench School Make a Difference Club provided a presentation regarding reducing or banning the use of plastic bags in the Cowichan Valley.

The following ideas were presented by the students:

1. Reduce or eliminate the use of plastic bags
2. Encourage stores to reduce or eliminate plastic bags
3. Survey customers and community about the horrors of plastic bags.
4. Create a contest to showcase the greenest store in the Valley.

5. Work with other communities, such as the Comox Valley, on how to reduce the use of plastic bags.
6. Charge a tax to the stores that use plastic bags. The tax money could be used for recycling.
7. Apply to the BC Government for an amendment to the Local Government Act to allow the Regional District to ban plastic bags.
8. Be a trailblazer in ending the use of plastic bags.

CVRD "Zero Waste" reusable bags were handed out to each of the delegation members, their parents and CVRD Board members.

## **REPORTS**

### **R1**

An update on the CVRD's Plastic Bag Reduction Campaign was provided.

The General Manager, Engineering and Environmental Services, suggested that staff would look into having the Bench School video play at local stores throughout the Valley.

## **INFORMATION ONLY**

### **R2**

A staff report was considered regarding obtaining consent of the voters through an Alternate Approval Process and Loan Authorization Bylaw – for an operations building at the Bings Creek Solid Waste Management Complex.

Staff were asked to check funding opportunities to assist with this expenditure.

It was moved and seconded that it be recommended to the Board that:

1. A new operations facility and expansion of the existing staff building be constructed at Bings Creek Solid Waste Complex to support Solid Waste and Water Management operations.
2. A loan authorization bylaw for approximately \$590,000 be prepared to cover the cost of the project.
3. An Alternate Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.

## **MOTION CARRIED**

### **R3**

A staff report was considered regarding requesting that the Province provide Regional Districts with the ability to assign liability for sidewalk maintenance.

It was moved and seconded that it be recommended that the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to homeowners within Electoral Areas of the Cowichan Valley.

**MOTION CARRIED**

**R4**

A staff report was presented providing an updated on the Four-Ways sewer development in Electoral Area D.

It was moved and seconded that Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area be rescinded.

**MOTION CARRIED**

**NEW BUSINESS**

**NB1**

A staff report was considered regarding obtaining Assent of the voters for borrowing funding to upgrade the recycling drop-off depots.

It was moved and seconded that it be recommended to the Board that:

1. As outlined in the approved CVRD Solid Waste Management Plan, and building on secured Gas Tax Funding, the three existing CVRD ashfills be remediated, the three existing CVRD recycling depots be updated and expanded, and a new South Cowichan recycling depot be established.
2. A loan authorization bylaw for approximately \$1,800,000 be approved to cover the cost of these projects.
3. An Alternate Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.

**MOTION CARRIED**

**NB2**

A discussion took place regarding locating land for a new "Eco" Depot in the South Cowichan area.

It as moved and seconded that staff retain a Buyer's Agent for the purpose of assisting the CVRD in locating appropriate property for the establishment of a South Cowichan Eco Depot.

**MOTION CARRIED**

**ADJOURNMENT**

**It was moved and seconded that the meeting be adjourned.**

**MOTION CARRIED**

The meeting adjourned at 5:20 p.m.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

Dated: \_\_\_\_\_

It was moved and seconded:

2. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to the homeowners within Electoral Areas of the Cowichan Valley.

  
09-314

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

Opposed: Directors Cossey, Morrison, Dorey, Harrison,  
Iannidinaro, Duncan and Giles

**MOTION CARRIED**

It was moved and seconded:

3. That Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area, be rescinded.

09-315

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

**MOTION CARRIED**

CR4

The report and recommendation of the Economic Development Commission meeting of May 14, 2009 listing one item was considered.

09-316

It was moved and seconded:

1. That the Board direct staff to prepare an amendment to the Economic Development Commission Establishment Bylaw No. 2497, Section 3 - Membership incorporating the following concept:
  1. The Commission shall consist of 13 members.
  2. Two Commission members shall be Directors from the Cowichan Valley Regional District.
  3. Eleven members shall be drawn from community groups, organizations or sectors concerned with economic development and growth within the Cowichan Valley Regional District.
  4. All members shall be appointed by Board resolution.

It was moved and seconded:

2. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to the homeowners within Electoral Areas of the Cowichan Valley.

09-314

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

Opposed: Directors Cossey, Morrison, Dorey, Harrison,  
Iamudinardo, Duncan and Giles

**MOTION CARRIED**

It was moved and seconded:

3. That Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area, be rescinded.

09-315

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

**MOTION CARRIED**

CR4

The report and recommendation of the Economic Development Commission meeting of May 14, 2009 listing one item was considered.

09-316

It was moved and seconded:

1. That the Board direct staff to prepare an amendment to the Economic Development Commission Establishment Bylaw No. 2497, Section 3 - Membership incorporating the following concept:
  1. The Commission shall consist of 13 members.
  2. Two Commission members shall be Directors from the Cowichan Valley Regional District.
  3. Eleven members shall be drawn from community groups, organizations or sectors concerned with economic development and growth within the Cowichan Valley Regional District.
  4. All members shall be appointed by Board resolution.





CVRD

R1

## STAFF REPORT

# ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JUNE 24, 2009

DATE: June 16, 2009

BYLAW NO: 3277

FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Secretariat Division

SUBJECT: Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw.

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### Recommendation:

1. That "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009", be forwarded to the Board for consideration of 3 readings and following provincial and voter approval, be adopted.
2. That it be recommended to the Board that voter approval for CVRD Bylaw No. 3277 be obtained through an alternative approval process over the entire service area.

### Purpose:

To introduce Bylaw No. 3277, that authorizes the borrowing of no more than \$1,800,000.00 to help finance the remediation of three CVRD ashfills, upgrade and expand three existing CVRD recycling depots and construct a new recycling depot in South Cowichan.

### Financial Implications:

Should the maximum amount \$1,800,000.00 be borrowed, the cost for a residential property assessed at \$100,000. is estimated at \$1.13 annually (residential tax rate of \$.0113 per thousand).

### Interdepartmental/Agency Implications:

This bylaw requires the approval of the service area voters and the Inspector of Municipalities before it can be adopted. Pursuant to Section 797.5 of the *Local Government Act* and Section 84 of the *Community Charter*, voter approval may be obtained through an alternative approval process over the entire service area.

The Solid Waste Works projects identified in the loan authorization bylaw have not been included in the Regional District's most recent five-year financial plan. Therefore, "CVRD Bylaw No. 3261 - Five Year Financial Plan (2009 – 2013) Bylaw, 2009" will need to be amended to include these projects prior to the loan authorization bylaw being forwarded to the Province for the Inspector's approval.

.../2

**Background:**

At it's regular meeting held June 10, 2009, the Board endorsed Resolution No. 09-313-1 that a loan authorization bylaw be prepared for borrowing up to \$1,800,000.00 to assist with financing the remediation of three CVRD ashfills, upgrade and expand existing CVRD recycling depots and construct a new recycling depot in South Cowichan. The attached bylaw was drafted for consideration.

Submitted by,



Kathleen Harrison  
Legislative Services Coordinator  
Corporate Secretariat Division

*Division Managers Approval:*

**NOT AVAILABLE**

*Signature*



## C.V.R.D

### COWICHAN VALLEY REGIONAL DISTRICT

#### BYLAW NO. 3277

#### A Bylaw to Authorize the Borrowing of Funds to Help Finance Solid Waste Works

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the remediation of three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan;

**AND WHEREAS** the estimated total cost for the remediation of three CVRD ashfills, upgrades and expansion of three existing CVRD recycling depots, and construction of a new recycling depot in South Cowichan, including expenses incidental thereto, is Three Million Dollars (\$3,000,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00), which is the amount of debt to be created by this bylaw;

**AND WHEREAS** the authority to borrow under this bylaw expires five years from the date on which it is adopted;

**AND WHEREAS** the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and *Community Charter*;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, enacts as follows:

#### 1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009".

**2. LOAN AUTHORIZATION**

The Cowichan Valley Regional District is hereby empowered and authorized to remediate three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing, to borrow upon the credit of the Regional District a sum not exceeding One Million Eight Hundred Thousand Dollars (\$1,800,000.00).

**3. TERM OF DEBENTURES**

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.

**4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES**

This bylaw relates to the *Solid Waste Management Service Area* established pursuant to Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996".

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3277 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Corporate Secretary

\_\_\_\_\_  
Date

RECEIVED the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary



CVRD

R2

## STAFF REPORT

### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JUNE 24, 2009

DATE: June 16, 2009

BYLAW NO: 3278

FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Secretariat Division

SUBJECT: Solid Waste Management Loan Authorization (Operations Facility) Bylaw.

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#### Recommendation:

1. That "CVRD Bylaw No. 3278 -- Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009", be forwarded to the Board for consideration of three readings and following provincial and voter approval, be adopted.
2. That it be recommended to the Board that voter approval for CVRD Bylaw No. 3278 be obtained through an alternative approval process over the entire service area.

#### Purpose:

To introduce Bylaw No. 3278, that authorizes the borrowing of no more than \$590,000.00 to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex.

#### Financial Implications:

Should the maximum amount \$590,000.00 be borrowed, the cost for a residential property assessed at \$100,000.00 is estimated at \$0.37 annually (residential tax rate of \$.0037 per thousand).

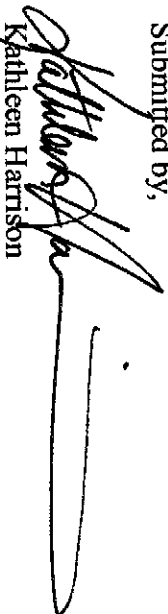
#### Interdepartmental/Agency Implications:

This bylaw requires the approval of the service area voters and the Inspector of Municipalities before it can be adopted. Pursuant to Section 797.5 of the *Local Government Act* and Section 84 of the *Community Charter*, voter approval may be obtained through an alternative approval process over the entire service area.

**Background:**

At it's regular meeting held June 10, 2009, the Board endorsed Resolution No. 09-313-4 that a loan authorization bylaw be prepared for borrowing up to \$590,000.00 to assist with financing the design and construction of a new operations facility at Bings Creek. The attached bylaw was drafted for consideration.

Submitted by,



Kathleen Harrison  
Legislative Services Coordinator  
Corporate Secretariat Division

*Division Managers Approval:*

**NOT AVAILABLE**

*Signature*



## C.V.R.D

### COWICHAN VALLEY REGIONAL DISTRICT

#### BYLAW NO. 3278

#### **A Bylaw to Authorize the Borrowing of Funds to Help Finance the Design and Construction of a new Operations Facility at the Bings Creek Solid Waste Management Complex**

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex;

**AND WHEREAS** the estimated total cost for the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex, including expenses incidental thereto, is Six Hundred and Ninety Thousand Dollars (\$690,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed Five Hundred and Ninety Thousand Dollars (\$590,000.00), which is the amount of debt to be created by this bylaw;

**AND WHEREAS** the authority to borrow under this bylaw expires five years from the date on which it is adopted;

**AND WHEREAS** the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and *Community Charter*;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, enacts as follows:

#### **1. CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009".

**2. LOAN AUTHORIZATION**

The Cowichan Valley Regional District is hereby empowered and authorized to design and construct a new operations facility at the Bings Creek Solid Waste Management Complex in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing, to borrow upon the credit of the Regional District a sum not exceeding Five Hundred and Ninety Thousand Dollars (\$590,000.00).

**3. TERM OF DEBENTURES**

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.

**4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES**

This bylaw relates to the *Solid Waste Management Service Area* established pursuant to Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996".

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3278 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Corporate Secretary

\_\_\_\_\_  
Date

RECEIVED the approval of the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary





CVRD

STAFF REPORT

R4

ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING  
OF JUNE 24, 2009

DATE: June 5, 2009

FILE NO: 5600-50-DR

FROM: Louise Knodel-Joy, Senior Engineering Technologist, Water Management Division

SUBJECT: Dogwood Ridge Water Service Establishment and Loan Authorization Bylaws,  
Electoral Area E

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Recommendation:

That it be recommended to the Board:

1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of a Water System Service Area and authorizing the borrowing of up to \$220,000.00, be received.
2. That Service Establishment and Loan Authorization bylaws be prepared and forwarded to the Board for consideration of three readings and, following Provincial approval, adoption.
3. That, following adoption of the Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Service Management Bylaw be prepared for the Dogwood Ridge Water System, and that these bylaws forwarded to the Board for consideration of three readings and adoption.

Purpose: To present the results of a *Petition for Services* that provides the CVRD with the authority to establish a water service area within a portion of Electoral Area E – Cowichan Station/Sahlam/Glenora, and borrow up to \$220,000.00 to upgrade the capital works of the water system to a municipal standard.

Financial Implications: Service costs, estimated to be \$42,900 annually, are to be recovered through a combination of parcel taxes and user fees on the parcels within the participating service area. The service area consists of 33 residential properties. A breakdown of costs is: \$17,820 in user fees and \$23,100 in parcel taxes. The CVRD has requested and received funding under Federal and Provincial infrastructure program to fund a portion of a new water storage reservoir and treatment system. This grant will provide \$266,666 of an estimated \$542,000 required to upgrade this water system. Borrowing of \$220,000 through the Municipal Finance Authority and system reserve funds will contribute the remainder. Costs per property will be: \$600/year for User Fees, \$173/year for Parcel Tax, and Debt Retirement of either \$527/year for 25 years (included in parcel tax) or a \$6,667 one-time fee.

Interdepartmental/Agency Implications: In cases where a sufficient petition for services has been received, voter approval may be obtained by the Area Director consenting, in writing, to the adoption of the Bylaw. Engineering and Environmental Services is responsible for the operation and administration of this service.

**Background:**

The following resolution No. 08-067-10 was ratified at the CVRD Board meeting of February 13, 2008:

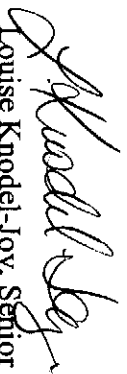
*"That a joint water feasibility assessment, between the Dogwood Ridge Water System and the Cowichan Tribes, be carried out by UMA Engineering Ltd., as outlined in their sole source proposal of January 18, 2008, and that the CVRD provide 50% funding on behalf of Dogwood Ridge to a maximum cost of \$18,812 ~ \$8,812 from the CVRD Electoral Feasibility Studies Function and \$10,000 through a Provincial Feasibility Study Grant, and further that approval in principle be granted for the CVRD to assume ownership and operation of the Dogwood Ridge Water System, based on:*

- 1. Findings of the water feasibility study*
- 2. A servicing agreement with Cowichan Tribes.*
- 3. All new infrastructure works, located on private property, are placed within registered Statutory Rights-of-way using the CVRD's standard charge terms;*
- 4. The Improvement District is required to transfer existing reserve funds for the water system to the CVRD;*
- 5. A public consultation process regarding water upgrades must be undertaken by the Improvement District.*
- 6. Petitions must be completed by at least 50% of the owners of parcels within the proposed service area and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements in the service area."*

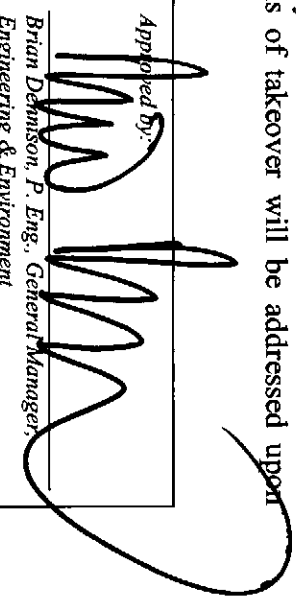
On June 1, 2009, eighteen of thirty-three petitions to establish a water service area and borrow up to \$220,000.00 were received by the CVRD. Pursuant to Section 797.4 of the *Local Government Act*, a petition is deemed sufficient if at least 50% of the owners of parcels within the proposed service area sign it, and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements within the service area. In this case, the petitions received equal 54.55 % of the property owners holding 57.09% of the net taxable value of all land and improvements within the proposed service area. Therefore the petitions are deemed sufficient and the CVRD has the authority to proceed with establishment of the service and borrowing up to \$220,000.00. (the Certificate of Sufficiency is attached.)

The Water Feasibility Study and public consultation process has been completed. The findings of the study provided both joint servicing costs with Cowichan Tribes and stand-alone costs by Dogwood Ridge only. Although funding for servicing from Cowichan Tribes has not been secured to date, the DRID has elected to proceed with system establishment and infrastructure work on a stand-alone basis. The remaining conditions of takeover will be addressed upon establishment of the service area.

Submitted by,

  
Louise Knodel-Joy, Senior Engineering Technologist  
Water Management Division  
Engineering & Environment

LKJ:jlb

Approved by:   
Brian Deminson, P. Eng., General Manager,  
Engineering & Environment



C.V.R.D.

### CERTIFICATE OF SUFFICIENCY

I hereby certify that the petition for establishment of a *Water System Service Area* within a portion of Electoral Area E – Cowichan Station/Saftlam/Glenora is sufficient, pursuant to section 797.4 of the *Local Government Act*.

DATED at Duncan, British Columbia  
this 1<sup>st</sup> day of June, 2009

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)  
)  
)

  
Kathleen Harrison, Deputy Corporate Secretary

#### Dogwood Ridge Water System Service Area

Total Number of Parcels in Service Area:

33

Net Taxable Value of All Land and Improvements in Service Area:

\$10,220,600.00

Number of Valid Petitions Received:

18

Net Taxable Value of Petitions Received (Land and Improvements):

\$5,834,500.00



## C.V.R.D

### STAFF REPORT

# R5

#### ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JUNE 24, 2009

**DATE:** June 8, 2009

**FILE NO:** 5225-03-SC

**FROM:** Louise Knodel-Joy, Senior Engineering Technologist, Water Management Division

**SUBJECT:** Establishment of Service Area for Shawnigan Creek Cleanout of Creek Bottom and Restoration of Natural Function

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**Recommendation:**

That it be recommended that an Alternative Approval Process be carried out to obtain consent of the voters create a service area of the Shawnigan Lake waterfront properties in Electoral Area B, for the purpose of cleanout of the creek bottom at the mouth of Shawnigan Creek to allow drainage and restoration of the natural system function; and further that an establishment bylaw be created for this service area.

**Purpose:** To consider the establishment of a new service area for drainage of Shawnigan Creek.

**Financial Implications:** The annual cost of providing the service is to be recovered through property value taxes to be requisitioned and collected on the basis of the net taxable value of land and improvements within 597 Shawnigan Lake Waterfront properties within Electoral Areas B. The maximum amount of money that may be requisitioned annually in support of this service is \$18,000, or 0.0497 per \$1,000 of net taxable land and improvements. The average annual cost to residential taxpayers within the proposed service area would be approximately \$4.94 per \$100,000 of assessed property value.

**Interdepartmental/Agency Implications:** Before an establishment bylaw can be adopted, the Inspector of Municipalities and service area electors must give their approval. Engineering Services is responsible for the operation and administration of the services.

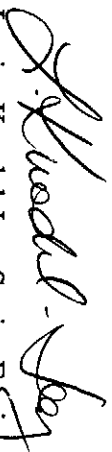
**Background:** In 1964, Mill Bay Waterworks built a dam on Shawnigan Creek approximately 450 metres downstream of the lake, with intention to store water that would be released in the summer months. A weir replaced this dam in 2008, and three water license holders, Shawnigan Lake North Water System (SLNWS), Lidstech Holdings and Mill Bay Waterworks, now maintain responsibility of the weir. As water drains from Shawnigan Lake to Shawnigan Creek, vegetation, sediment and debris accumulate at its mouth, prior to the weir structure, increasing the potential of flooding of the lakefront properties. A significant flood in 1979 caused public concern that the build-up of sediment and debris at the outlet was the cause. Historically, this clean-out function was undertaken by the Ministry of Environment; however, they now do not have the resources to continue this work.

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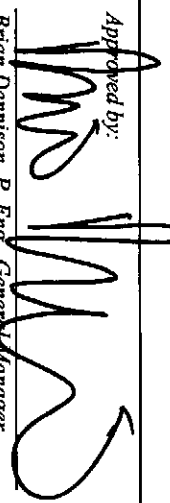
Within the existing water license, the Ministry of Environment can mandate terms and conditions for the water license holders to perform this function. As the flooding risk is greater for Shawnigan lakefront properties, staff feel it is appropriate that they shoulder the cost of this function.

At the request of the Electoral Area B Director and the Shawnigan Residents Association, the staff are proposing creation of a new service area and function for clean-out of the creek bottom at the mouth of Shawnigan Creek to allow drainage and restoration of natural system function.

Submitted by,



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LKJ:jlb

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